

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

THE HARBOR GROUP, INC., an Iowa
Corporation, and THE HARBOR
GROUP INC. EMPLOYEE HEALTH
CARE PLAN,

Plaintiffs,

vs.

TRINITY TEEN SOLUTIONS, INC. a
Wyoming Corporation,

Defendant.

Case No. 16-CV-4144-LRR


ORDER

The complaint in this matter was filed on December 30, 2016. Doc. 1. Plaintiff was required to serve Trinity Teen Solutions, Inc. (Trinity), within 90 days of filing the complaint, which was March 30, 2017. *See* Fed. R. Civ. P. 4(m). Plaintiff previously requested an extension of this deadline (Doc. 4), however, the court denied that request. Doc. 5. Parties are required to prove service to the court, unless the other party waives service. *See* Fed. R. Civ. P. 4(l)(1); *see also* Fed. R. Civ. P. 4(d)(4). The court docket in this case contains neither proof that Plaintiff served Trinity within the 90-day period, nor waiver of service by Trinity. The court is required to dismiss, with notice to the plaintiff, any action where the defendant is not served within 90 days of filing of the complaint, unless good cause is shown for failure to do so. Fed. R. Civ. P. 4(m).

Accordingly, **IT IS ORDERED** that Plaintiff shall have until April 20, 2017, to file proof that Trinity was served on or before March 30, 2017, or to provide information about why service was not made within the 90-day period in order for the court to determine whether good cause exists for failure to serve.

IT IF FURTHER ORDERED that if Plaintiff fails to file proof of service or information regarding the failure to do so by April 20, 2017, this matter shall be dismissed without prejudice pursuant to Rule 4(m) of the Rules of Civil Procedure.

IT IS SO ORDERED this 13th day of April, 2017.



Kelly K.E. Mahoney
United States Magistrate Judge
Northern District of Iowa